

రిజిష్టరు నెం. ఎ-228



కృష్ణా జిల్లా రాజపత్రము

అ సౌ ధా ర ణ ము

అధికారమువలన ప్రచురించబడినది.

నెం. 9(1) మచిలీపట్నం, 2009వ సంవత్సరము, సెప్టెంబరు నెల, 23వ తేది, బుధవారము

Copy of :-

PROCEEDINGS OF THE COLLECTOR
AND DISTRICT MAGISTRATE,
KRISHNA DISTRICT

Present : PEEYUSH KUMAR, I. A.S.,

Sub ÷ Caste Certificate - Krishna
District - Complaint on the caste
Certificate obtained by
Sri Ramiseti Rama Mohana
Rao, S/o Venkateswara Rao, an
employee working in Postal
Department - Enquiry conducted
by the District Level Scrutiny
Committee - Proved false -
Cancellation Orders Issued.

Read:-1. Complaint filed by Sri
Venkateswara Rao, dated Nil.

2 Complaint received from the
Secretary to A. P. State Commis-
sioner for SCs and STs
Nampally, Hyderabad.

3 Ir. No. Rc. S3/04212/KSN/2008
Dated 11-6-2008 the Sr.
Superintendent of Post Of fices,
Vijayawada Division,
Vijayawada.

4 Ir. No. Rc. A2/ 1689/2008,
dated 10-2-2009 of the Sub Col-
lector ,Vijayawada.

5 Enquiry Report submitted by the
District Level Scrutiny Commit-
tee, dated Nil..

* * *

ORDER :-

In the ref. 1st read above one Sri
Venkateswara Rao has filed a Complaint dated
nil to the Collector , Krishna against the social
status of Sri R. Rama Mohana Rao, S/o
Venkateswara Rao , Sub-Post Master , Gandhi
Nagar ,Vijayawada alleging that Sri Ramiseti
Rama Mohana Rao originally belongs to "Kapu"
caste that he has got "Konda Kapu" caste cer-
tificate showing his name under ST, that there
by he derived all the privileges extended to the
employee of ST caste in the department. Later
the Secretary ,A. P. State Commission for SC and
STs, in the ref. 2nd read above has forwarded a
copy of complaint filed by Sri D. V.
Satyanarayana Rao, stating that Sri Ramiseti
Rama Mohana Rao and his near relatives belong
to Kapu caste community that he is working as
Sub-Post Master , Gandhinagar ,Vijayawada by

producing false certificate of ST community and requested to enquiry into the matter and furnish the action taken report to the Commission under intimation to the petitioner. Again in the ref. 3rd read above the Senior Superintendent of Post Offices, Vijayawada Division, Vijayawada has also informed that a complaint has been received against Sri Ramisetty Rama Mohana Rao, Sub-Post Master, Gandhinagar SO, Vijayawada who is working in their department alleging that he belongs to "Kapu" community, but claimed concession under "ST" category as "Konda Kapu" and as per their office record, the official was recruited as Time Scale clerk in West Godavari Division under ST category on the strength of the caste certificate dated 16-10-1971 issued by the then Tahsildar, Vijayawada and finally requested to cause verification of its genuineness and return along with the result of verification.

All the above complaints were referred to the Sub-Collector, Vijayawada, the Tahsildar, Vijayawada Urban and Kankipadu vide this office letter Rc. C4. 676/M/2008, 16-8-2008 for discreet enquiry and to report. It was referred to the District Level Scrutiny Committee for verification of social status of Sri Ramisetty Rama Mohana Rao, S/o Venkateswara Rao under rule 9(1) of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) issued of Community Nativity and Date of Birth Certificate Rules, 1971 communicated in G. O. Ms. No. 58 (SW) Department, dated 12-5-1997 enquiry and report.

In the ref. 4th read above, the Sub-Collector, Vijayawada has submitted the report, stating that the Tahsildar, Kankipadu who enquired into the matter had reported that enquiry was conducted in Maredumaka Village, Kankipadu Mandal about the Social status of Sri Ramisetty Rama Mohana Rao, S/o Venkateswara Rao, that it was revealed that the fore fathers of Sri Rama Mohana Rao had migrated from Bhadrachalam Village of Khammam District to Maredumaka Village, settled in Krishna District, that they have shifted themselves from Maredumaka Village to other places and no blood related family members is residing in Maredumaka Village and they

have shifted from the Village before 15 years before from the Village, that the school records of MPUP School in Maredumaka Village, Krishna District have been got verified and found that no admission pertaining to the individual is available in the records that the school records of ZPH School, Tennuru village have also been got verified and found that the academic entry of Ramisetty Srinivasa Rao who is said to be (as his father name was not traced) the brother of Sri Ramisetty Rama Mohana Rao. As per enquiry, he studied from 8th to 10th class in the year 1981-84 vide admission No. 857 wherein the caste of Sri Ramisetty Srinivasa Rao was recorded as "KAPU" and all those such surname "RAMISETTI" were also recorded as "KAPU" community.

The Sub-Collector, Vijayawada has further reported that the Tahsildar, Kankipadu has reported that most of the local people of Maredumake Village stated that the family of R. Rama Mohana Rao belongs to "KAPU" caste, that Panchanama was also conducted in the Village, that the panchanamadars have opined that the family of Sri R. Rama Mohana Rao belongs to KAPU caste, and that no blood related family members of the individual is available in the Village for conducting enquiry as Sri Ramisetty Rama Mohana Rao and his family is residing at Gunadala area of Vijayawada city and no one is able to give correct address particulars of the individual, that the Tahsildar, Kankipadu finally reported that no recorded evidence is available proving his caste as "Konda Kapu" in the Village and on enquiry and as per other recorded evidences relating to his alleged brother, the surname "RAMISETTI" relates to "KAPU" by caste.

The Sub - Collector, Vijayawada has further reported that the Tahsildar, Vijayawada Urban who enquired in to the matter has reported that the address particulars of the petitioner Sri Venkateswara Rao are not available and hence he could not enquire about the complaint made by Sri Venkateswara Rao that Sri D. V. Satyanarayana i.e., the another petitioner is a colleague of Sri Ramisetty Rama Mohana Rao, while he worked in Gandhinagar Post Office,

Vijayawada and he made this complaint because Sri Ramiseti Rama Mohana Rao, while working as Sub-Post Master along with four Kapu Community employees, harassed him and also other staff that Sri Ramiseti Rama Mohana Rao made allegations against the petitioner and the petitioner also faced Departmental Punishments and the petitioner stated that he filed this petition. He further reported that during his enquiry, it was revealed that Sri Ramiseti Rama Mohana Rao and his wife, Jansi Rani have stated that his grand father Sri Nagaiah (Migrated to Maredumaka Village of Kankipadu Mandal) was brought by the Village landlords from Bhadrachalam as Labour workers 100 years ago that they settled therein that Sri Nagaiah has only son i.e., Sri Venkateswara Rao, f/o Rama Mohana Rao, that they have not found bride of the same caste, Venkateswara Rao married Kapu community girl that Sri Ramiseti Rama Mohana Rao has married Jansi Rani, D/o Sangasetti Satyanarayana who belongs to Konda Kapu Caste, that Konda Kapu Caste certificate was issued to him in the year 1955 by the then District Magistrate, Krishna, that the children of Sri Ramiseti Rama Mohana Rao have also married Kapu community people only, because they have not found Konda Kapu people in Krishna District, that as a result they are following the traditions and customs of Kapu caste certificate was issued in 1971 by the then Tahsildar, Vijayawada. The Tahsildar, Vijayawada Urban concluded that the petitioner could not produce any evidence to prove that Sri Ramiseti Rama Mohana Rao belongs to Kapu community and all the school records of children and Sri Ramiseti Rama Mohana Rao caste was recorded as Konda Kapu only.

Finally the Sub-Collector, Vijayawada has reported that on perusal of the enquiry reports of the Tahsildar, Kankipadu and Vijayawada Urban, it is clear that Sri Ramiseti Rama Mohana Rao's forefathers have migrated from Bhadrachalam to Kankipadu Mandal long back that his wife belongs to Konda Kapu caste and mother belongs Kapu community that he himself admitted that his family members married with Kapu community people due to non-availability of same caste people that

married Konda Kapu community girl only and that therefore it is concluded that Sri Ramiseti Rama Mohana Rao and his wife belongs to Konda Kapu caste as no evidence were produced by the petitioner and its is a fact that their ancestors were migrated from Bhadrachalam and a caste certificate was also issued by the then Tahsildar, certifying that the caste of Sri Ramiseti Rama Mohana Rao as Konda Kapu.

The District Level Scrutiny Committee has held the proceedings and submitted the enquiry report as follows :

The District Level Scrutiny Committee has issued a notice vide Rc.C4. 676/M/2008, dated 12-8-2008 in form - VI appended to Andhra Pradesh Scheduled Caste, Scheduled Tribes and Backward Classes Issue of Community, Nativity and Date of Birth Certificate Rules 1997 to Sri Ramiseti Rama Mohana Rao, S/o Venkateswara Rao informing to attend before the District Level Scrutiny Committee on 26-12-2008. The individual has attended. The meeting of the Committee was not convened because the officers were engaged with other Government duties and the case was posted on 12-1-2009. The Committee could not meet on 12-1-2009, as the officers were engaged with other Government duties and posted the case on 30-1-2009. On 30-1-2009, Sri Ramiseti Rama Mohana Rao has attended before the Committee and sought time 15 days to produce caste certificate issued his father-in-law relevant documents in support of his caste the time was granted and the case was posted to 9-3-2009.

On 9-3-2009 the Committee was convened. The individual has also attended before the Committee. At the time of the enquiry, the individual has produced his own brother's transfer certificate in support of his caste claim. The name of his brother is RAMISETTI SRINIVASA RAO and he studied in ZPH School, Tenneru Village, Kankipadu Mandal. The Committee after careful examination of the above certificate issued from concerned school authorities, called for report along with copies of Transfer certificate and Admission Extracts, in respect Sri Ramiseti Srinivasa Rao and

others in the surname of RAMISETTI for verification and also furnish a report whether Sri Rama Mohana Rao studied in Z. P. H. School, Tenneru Village, Kankipadu Mandal or not and the case was posted to 11-5-2009.

The Head Master, Zilla Parishad High School, Tenneru Village, Kankipadu Mandal has submitted a report vide Lr. No. Nil, dated 1-4-2009 stating that Sri Ramiseti Srinivasa Rao, b/o Rama Mohana Rao studied in their school from 8th class to 10th class (1981 - 82 to 1983 - 84) that his caste was recorded as HINDU KAPU as per PS Upper Primary School, Maredumaka record sheet and also reported that they have verified all the school records (from 1969 to 89) and observed that the individual of Sri Ramiseti Rama Mohana Rao has never studied in their school.

The Committee has again convened on 11-5-2009. The individual has attended before the Committee and produced his father-in-law's Xerox caste certificate only. As seen from it the name of his father-in-law was noted as Sri Senagasetty Satyanarayana and the caste was noted as "Back ward" in the column of Community and again re-noted as Konda Kapu on the top of Backward. The individual has further requested the Committee 15 days time to submit his father-in-law's original caste certificate and relevant documents as his father-in-law was a retired railway's employee and the case was posted to 1-6-2009.

The Committee has convened on 1-6-2009, 15-6-2009 and the individual has attended before the Committee and produced his father-in-law's Xerox copy of service certificate only. Then he was informed to produce original service certificate and caste certificate of his father-in-law and the case was posted to 29-6-2009.

On 29-6-2009 Sri Ramiseti Rama Mohana Rao has attended before the Committee and produced attested copy of his father-in-law's (i.e., Sri Senagasetty Satyanarayana) service certificate only. His caste was noted as "Konda Kapu". The individual has also produced his

children's (i.e., Anna Srinivasa and Suvarna Latha) school certificates stating that they studied in Amali High School, English Medium, Vijayawada. The Committee has examined the above documents discretely and instructed to inform the Head Mistress, Amali High School, Vijayawada with a direction to depute a responsible person along with original school records of Sri Ramiseti Anna Srinivasa, S/o Rama Mohana Rao and Suvarna Latha, D/o Rama Mohana Rao and the case was posted to 6-7-2009.

The staff of Amali High School, Vijayawada have attended before the Committee, Krishna on 6-7-2009 along with the original school records along with parents declaration of Sri Anna Srinivasa and Suvarna Latha, f/o Rama Mohana Rao and after careful examination of the above said records, the Committee observed that the caste of the individuals was inserted later with separate ink as Konda Kapu. But as seen from the documents of the parents at the time of admission, the caste was mentioned by the parents i.e., Rama Mohana Rao as Kapu only. Hence the Committee has instructed to inform the Head Mistress, Amali High School, Vijayawada to attend before the Committee personally. The case was finally posted to 27-7-2009.

The Committee has finally convened on 27-7-2009 Sri Ramiseti Rama Mohana Rao and the Head Mistress, Amali High School, Vijayawada has personally attended before the Committee. During the enquiry the Head Mistress has stated that Sri Ramiseti Rama Mohana Rao had previously admitted his son and daughter in their school that at the time of admission he himself filled his caste as Hindu-Kapu in the declaration form that later in the year, 2008 he came with the caste certificate issued by the Tahsildar and asked her to add Konda Kapu in their Transfer Certificate, that she thought that it was a genuine one and added Konda Kapu in Transfer Certificate of (Anna Srinivasa, Record Sheet of Suvarna Latha) and admission and withdrawals (Anna Srinivasa and Suvarna Latha) and she has finally stated that she has no other intension regarding this matter.

As seen from the parent declaration at the time of Admission of his son Sri Ramiseti Anna Srinivasa the caste was noted as Kapu signed by the parents (i.e., Ramiseti Rama Mohana Rao) himself and in respect of her daughter's declaration (Suvama Latha, D/o Rama Mohana Rao) it was noted as Indian - Hindu which was filled by her mother Smt. Ramiseti Jhansi Rani i.e., w/o Ramiseti Rama Mohana Rao.

Finally, the District Level Scrutiny Committee concluded that the basic issue is that there are no people of Konda Kapu caste initially in Krishna District that Sri Ramiseti Rama Mohana Rao has also not produced any evidence about his migration from Bhadrachalam, that the District Level Scrutiny Committee has given ample opportunities to Sri Ramiseti Rama Mohana Rao (i.e., 26-12-2008, 12-1-2009, 30-1-2009, 9-3-2009, 11-5-2009, 1-6-2009, 15-6-2009, 29-6-2009, 6-7-2009 and 27-7-2009) to prove his caste claim, that the individual was failed to produce valid document. It is further reported the unless an until one has migrated from the areas where the communities of Konda Kapu is prevailing, the claim of Konda Kapu status is absolutely misleading and false. The Committee has also observed that he has not only obtained the Konda Kapu caste certificate fraudulently from the concerned authorities but also deceived the Educational Institution by appraising and getting "Konda Kapu" caste inserted in the School records of his children during the year 2008 as revealed by the Head Mistress of Amali High School, S. N. Puram, Vijayawada and construed that his caste is not Konda Kapu and his caste is KAPU and the committee recommended that the caste certificate issued to Sri Ramiseti Rama Mohana Rao, S/o Venkateswara Rao by the then Tahsildar, Vijayawada in S. No. Nil, dated 16-10-1971 is liable to be cancelled under Section 5(1) of Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of issue of Community Certificate Act, 1993 read with Sub Rule 7 of Rule 9 of Andhra Pradesh, (Scheduled Castes, Scheduled Tribes and Backward Classes) issue of Community, Nativity and Date of Birth Certificate Rules, 1997).

The Report of the District Level Scrutiny Committee is verified. The observations of the Committee that in the absence of filling documentary evidence in support of migration from Bhadrachalam and getting his caste fraudulently entered in "Konda Kapu" in the school records of his children during the year 2008, by deceiving the Educational Institution basing upon the caste certificate fraudulently obtained from the concerned authorities proves that his caste is not "Konda Kapu" and his caste is "Kapu" is quite proper. I do agree with the report of the District Level Scrutiny Committee.

In the above circumstances and in exercise of the powers conferred under Section 5(1) of the Andhra Pradesh (Scheduled Caste, Scheduled Tribes and Backward Classes) Regulation of issue of Community Certificates Act, 1993 read with Sub Rule 7 of Rule 9 of the Andhra Pradesh (Scheduled Caste, Scheduled Tribes and Backward Classes) Regulation of issue of Community, Nativity and Date of Birth Certificates Rules 1997, I, Peeyush Kumar, I. A. S., Collector Certificate and District Magistrate, Krishna District hereby cancel the KONDA KAPU Caste Certificate issued to Sri Ramiseti Rama Mohana Rao, S/o Venkateswara Rao in S. No. Nil/1971, dated 16-10-1971 by the then Tahsildar, Vijayawada with immediate effect.

A notification to this effect shall be published in the District Gazette extraordinary.

NOTE : An appeal against this order lies before the Government within thirty (30) days from the date of receipt of this order.

PEEYUSH KUMAR,
Collector and District Magistrate,
Krishna District,
Machilipatnam.

NOTIFICATION

In exercise of the powers conferred under Section 5(1) of the Andhra Pradesh (Scheduled Caste, Scheduled Tribes and Backward Classes) Regulation of issue of Community Certificates Act, 1993 read with Sub Rule 7 of Rule 9 of the Andhra Pradesh (Scheduled Caste, Scheduled Tribes and Backward Classes) Regulation of issue of Community, Nativity and Date of Birth Certificates Rules 1997, the KONDA KAPU Caste Certificate issued by the then Tahsildar, Vijayawada vide S. No. Nil/1971, dated 16-10-1971 in favour Sri Ramiseti Rama Mohana Rao, S/o Venkateswara Rao Sub-Post Master, Gandhinagar, Vijayawada is hereby cancelled with immediate effect.

PEEYUSH KUMAR,
Collector and District Magistrate,
Krishna District.

Machilipatnam,

Dated 2nd September, 2009.

[Rc. (C4)676/M/2008
